

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

ITC MIDWEST LLC,

Petitioner,

vs.

IOWA UTILITIES BOARD,

Respondent.

CASE NO. CVCV063439

**RESPONDENT'S UNRESISTED
MOTION FOR ENLARGEMENT OF
TIME TO FILE MOTION OR
ANSWER**

COMES NOW Respondent Iowa Utilities Board, by and through its undersigned counsel, and Pursuant to Rule 1.443, Iowa R. Civ. P., moves for an enlargement of time of no less than 30 days to file a motion or answer in this proceeding and in support thereof respectfully states as follows:

1. ITC Midwest LLC (ITC Midwest) filed a Petition for Judicial Review on April 7, 2020. Respondent Iowa Utilities Board (the Board) accepted service of said Petition on April 19, 2022.

Pursuant to Rule 1.1602, Iowa R. Civil P., the Board shall file a motion or answer within 20 days of the date of personal service. The 20-day deadline is currently May 9, 2022.

2. The Petition for Judicial Review seeks review of an order of the Board issued in Board Docket No. E-21340 requiring that ITC Midwest seek amendment of an existing electric transmission line franchise prior to the Board considering the renewal and extension of the franchise for an additional period of up to 25 years, as requested by ITC Midwest in that docket.

3. On May 4, 2022, the Board issued an Order Addressing Extension of Electric Transmission Line Franchise, Motion for Stay, and Amendment Requirement which approves the continuation of Board review and finalization of a grant of an extension of the electric transmission line franchise sought in Docket No. E-21340.

4. The Board requests additional time to work with Petitioner ITC Midwest to determine whether the issuance of the Order Addressing Extension of Electric Transmission Line Franchise, Motion for Stay, and Amendment Requirement resolves the issues which are the subject of the Petition for Judicial Review or whether such additional actions as the issuance of said franchise after public notice or other additional measures may resolve this matter prior to further proceedings before the Court.

5. Counsel for ITC Midwest has been contacted and does not resist this request for additional time.

WHEREFORE, Respondent Iowa Utilities Board respectfully requests this Court grant the requested enlargement of time and set a new date of June 8, 2022 by which time Respondent Iowa Utilities Board shall file a motion or answer in this proceeding, and issue such further orders as the Court deems appropriate.

Respectfully submitted,

/s/ Jon Tack
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**ATTORNEY FOR RESPONDENT IOWA
UTILITIES BOARD**

ALL PARTIES SERVED ELECTRONICALLY